

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Klaus Werner Leber, et al.

Docket No.

MUI-0008

Application No.

10/538,227

Filing Date

06/08/2005

Examiner

NYA

Customer No.

23413

Group Art Unit

NYA

Invention: ELECTRODE, AND METHOD FOR PREPARING THE SAME



Information Disclosure Statement with Certificate of Mailing by First Class Mail (1 page), Form PTO-1449 with Seven (7) Cited References (1 page), and Postcard Receipt

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Candace H. Buswell

(Typed or Printed Name of Person Mailing Correspondence)

Candace H. Buswell

(Signature of Person Mailing Correspondence)

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INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NUMBER MUI-0008 SERIAL NUMBER 10/538,227 FILED 06/08/2005

FIRST INVENTOR: LEITNER TITLE ELECTRODE, AND METHOD FOR
PREPARING THE SAME

EXAMINER NYA ART UNIT NYA

1. ☒ Applicant submits herewith a copy of (a) attached form PTO-1449, which lists all patents, publications, applications, or other information submitted for consideration by the Office; (b) a legible copy of each document required by 37 C.F.R. §1.98(b)(2).
2. ☐ Applicant herein apprises the Patent Office of references cited in a parent U.S. application from which this application obtains the benefit of an earlier filing date under 35 U.S.C. §120. The Serial Number of the parent application is U.S. Application _____ filed _____ and entitled _____.
The publications cited therein are listed on attached Form PTO-1449. In accordance with 37 C.F.R. §1.98(d) copies of the listed publications are not required. ☐ Additional parent patent applications are listed on an attached sheet.
3. ☒ In accordance with 37 C.F.R. §1.98(a)(3), Applicant hereby certifies that for each reference not in English (check at least one box below):
☐ A copy of a translation of one or more non-English document, or portion thereof, is provided herewith;
☒ A concise explanation is (check at least one box below):
☐ provided in the accompanying foreign or international search report; ☐ incorporated into the specification; and/or ☒ provided herewith.

37 C.F.R. §1.97(b)(1), (b)(2) – WITHIN 3 MONTHS OF FILING OR ENTRY IN NATIONAL STAGE

4. ☐ Since this Information Disclosure Statement is being filed within three months of the filing date of the subject application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(b)(3), (b)(4) – PRIOR TO MAILING OF FIRST OFFICE ACTION OR FIRST ACTION AFTER REQUEST FOR CONTINUED EXAMINATION

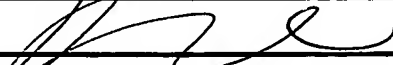

5. ☒ Since this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(c) – AFTER FIRST ACTION, BEFORE FINAL ACTION OR ALLOWANCE

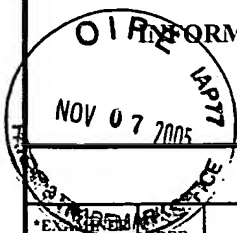
6. ☐ Since this Information Disclosure Statement is being filed outside of the period provided for in 37 C.F.R. §1.97(b), but before the mailing date of a Final Rejection or Notice of Allowance, this submission is being accompanied by (one of the following boxes must be checked):
 - a. ☐ the fee required under 37 C.F.R. §1.97(c)(2) and specified in 37 C.F.R. §1.17(p).
 - b. ☐ the statement specified in 37 C.F.R. §1.97(e) (Box 8 or 9 must be checked).

37 C.F.R. §1.97(d) – AFTER FINAL REJECTION OR ALLOWANCE

7. ☐ Since this Information Disclosure Statement is being filed after the period specified in 37 C.F.R. §1.97(c), but on or before payment of the issue fee and is accompanied by both the statement specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p). (Box 8 or 9 must be checked.)
8. ☐ In accordance with 37 C.F.R. §1.97(e)(1), Applicant's attorney certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. ☐ The foreign or international search report(s) is/are enclosed.
9. ☐ In accordance with 37 C.F.R. §1.97(e)(2), Applicant's attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.
10. ☒ In the event the Commissioner of Patents deems that any additional fee is required under 37 C.F.R. §§ 1.16 or 1.17 in connection with this application, Applicant's attorneys authorize that such fee be charged to Deposit Account No. 06-1130.
11. Consideration of this Information Disclosure Statement is respectfully requested.

| | | | |
|--|---|-------------------------|-------------------------|
| Name: | <u>Soonja Bae</u> | Limited Recognition No. | <u>L0017</u> |
| Signature |  | Date | <u>November 4, 2005</u> |
| CERTIFICATE OF MAILING OR TRANSMISSION: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or [] facsimile transmitted to the U.S. Patent and Trademark Office to Facsimile No. _____ on the date shown below. | | | |
| Name | <u>Candace H. Buswell</u> | | |
| Signature |  | Date | <u>November 4, 2005</u> |





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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | Docket Number (Optional) MUI-0008 | Application Number 10/538,227 |
| | Applicant(s) Klaus Werner Leimer et al. | |
| | Filing Date 06/08/2005 | Group Art Unit NYA |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|-----|-----------------|------------|------------------|-------|----------|-------------------------------|
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | | 5,133,594 | 07/28/1992 | Haas et al. | 359 | 275 | 07/19/1990 |
| | | 5,705,219 | 01/06/1998 | Besenhard et al. | 427 | 96 | 03/14/1996 |
| | | 5,916,485 | 06/29/1999 | Besenhard et al. | 252 | 511 | 02/13/1996 |
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| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | |
|--------------------------------------|-----|-----------------|------|------|-------|----------|-------------------------------|
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-----|-----------------|------------|---------|-------|----------|-------------|----|
| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | | | | | | YES | NO |
| | | WO 02/19442 A1 | 03/07/2002 | PCT | | | | |
| | | EP 0 228 573 | 07/15/1987 | EUROPE | | | | |
| | | WO 92/19092 | 10/29/1992 | PCT | | | | |
| | | WO 92/00315 | 01/09/1992 | PCT | | | | |
| | | | | | | | | |

| OTHER DOCUMENTS | | | (Including Author, Title, Date, Pertinent Pages, Etc.) |
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| EXAMINER | DATE CONSIDERED |
|-----------------|------------------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.